

REMARKS

This Amendment serves as the submission accompanying Applicants' Request for Continued Examination (RCE) filed pursuant to 37 C.F.R. §1.114. By final Office Action mailed May 9, 2003, pending claims 1 and 12-14 stood rejected and pending claims 2-11 were objected to as being dependent upon a rejected base claim, reconsideration of which are respectfully requested in view of the above amendments and the following remarks. Claims 1-14, 27-31 and 39 are now pending. Claims 15-26 and 32-38 have been cancelled. Claim 1 has been amended.

As an initial matter, Applicants have amended the specification to include a reference to U.S. Provisional Patent Application No. 60/281,114, filed April 3, 2001. Applicants have submitted a petition pursuant to 37 C.F.R. §1.78(a)(6) requesting that this claim under 35 U.S.C. 119(e) for the benefit of the prior-filed provisional application be accepted, a copy which is attached.

Rejection Under 35 U.S.C. § 102(e)


Claims 1 and 12-14 stand rejected under 35 U.S.C. § 102(e) as anticipated by Pfost et al. (U.S. Patent No. 6,485,690). As suggested by the Examiner, in order to overcome this ground of rejection, Applicants have amended pending claim 1 to recite "and adapted to provide parallel flow of plural fluids in at least one channel" after "well plate" in line 5 of the claim. As noted by the Examiner, support for this amendment may be found at page 6, line 1 through page 7, line 3 of the application. Accordingly, Applicants request that this ground of rejection be withdrawn.

**COPY**

Application No. 09/932,687  
Reply to Office Action mailed May 9, 2003

In view of the above amendment and remarks, allowance of claims 1-14, 27-31 and 39 is respectfully requested. A good faith effort has been made to place this application in condition for allowance. However, should any further issue require attention prior to allowance, the Examiner is requested to contact the undersigned at (206) 622-4900 to resolve the same. Furthermore, the Commissioner is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,  
Thomas Schulte et al.  
SEED Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
Emily W. Wagner  
Registration No. 50,922

EWW:cew

Enclosure:

Copy of Petition Under 37 C.F.R. § 1.78 (a)(6)

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

\388413

RECEIVED

OCT 15 2003

OFFICE OF PETITIONS

**COPY**